



# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

**GAIL FARBER, Director**

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

April 20, 2010

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

# ADOPTED

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

#42 APRIL 20, 2010

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

Dear Supervisors:

**ADOPT, ADVERTISE, AWARD, AND GRANT OF EASEMENT  
SPREADING GROUNDS IMPROVEMENTS  
EATON WASH SPREADING GROUNDS  
IMPROVEMENT PROJECT  
IN THE CITY OF PASADENA  
(SUPERVISORIAL DISTRICT 5)  
(3 VOTES)**

### **SUBJECT**

This action is to approve the project for the Eaton Wash Spreading Grounds Improvement Project in the City of Pasadena; find the project is categorically exempt from the provisions of the California Environmental Quality Act; adopt the plans and specifications; call for bids; authorize the Director of Public Works or her designee to award, execute, and implement a consultant services agreement for the preparation of a baseline construction schedule and storm water pollution prevention plan and a construction contract with the apparent responsible contractor with the lowest responsive bid; and approve the grant of easement to the City of Pasadena for a sewer pipeline.

### **IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

1. Find that this project is categorically exempt from the provisions of the California Environmental Quality Act.
2. Approve the project and adopt the plans and specifications for Eaton Wash Spreading Grounds Improvement Project, spreading grounds improvements, in the City of Pasadena, at an estimated cost between \$3,700,000 and \$4,500,000.

3. Call for bids to be received on May 18, 2010.
4. Instruct the Executive Officer of the Board of Supervisors to advertise the project and seal and return the plans and specifications to the Department of Public Works for filing.
5. Authorize the Director of Public Works or her designee to award and execute a consultant services agreement with the apparent responsible contractor with the lowest responsive bid to prepare a baseline construction schedule and storm water pollution prevention plan for a \$9,000 not to exceed fee funded by existing project funds.
6. Authorize the Director of Public Works or her designee to award and execute a construction contract with the apparent responsible contractor with the lowest responsive bid within the estimated cost range, approve the Faithful Performance and Labor and Material bonds and insurance submitted by the contractor, and deliver the project.
7. Find the granting of a future easement for sewer pipeline purposes, required as a result of this spreading grounds improvement project, and the subsequent use of said easement will not interfere with the use of Eaton Wash Spreading Grounds for any purposes of the Los Angeles County Flood Control District.
8. Approve the granting of a future easement for sewer pipeline purposes from the Los Angeles County Flood Control District to the City of Pasadena.
9. Instruct the Chair of the County of Los Angeles Board of Supervisors to sign the Easement document upon presentation at a later date to the Executive Officer and authorize delivery to the City of Pasadena.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended actions is to obtain approval from the County of Los Angeles Board of Supervisors (Board), acting as the governing body of the Los Angeles County Flood Control District, to adopt the plans and specifications; advertise for bids; and delegate to the Director of Public Works (Director) or her designee authority to award, execute, and implement a consultant services agreement to prepare a baseline construction schedule and storm water pollution prevention plan for a \$9,000 not-to-exceed fee and a construction contract with the apparent responsible contractor with the lowest responsive bid for the removal of accumulated sediment from water conservation basins, construction of interbasin spillway structures, the lining of a desilting basin and corrugated metal pipelines, and the performance of other appurtenant work. This action is also to obtain your Board's approval to grant a future easement from the Los Angeles County Flood Control District to the City of Pasadena (City) for relocating a sewer pipeline required as part of this project.

The proposed consultant services agreement with the apparent responsible contractor with the lowest responsive bid to prepare a baseline construction schedule and storm water pollution prevention plan that conforms to the County of Los Angeles' (County) specifications is critical to successfully manage construction activities by both the contractor and the County, and a responsible contractor must be able to produce these deliverables. Bid specifications provide that if the apparent responsible contractor with the lowest responsive bid fails to complete acceptable deliverables, the Department of Public Works (Public Works) may return to your Board to recommend that the bidder

be determined nonresponsible and recommend awarding the construction contract to the next lowest bidder contingent on completing deliverables that conform to the County's specifications.

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3). The recommended actions will help meet these goals by restoring and improving these groundwater recharge facilities to reduce dependence on imported water thereby providing residents with a more economical and dependable source of water.

### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

The estimated construction cost to complete this project is in the range of \$3,700,000 to \$4,500,000. Sufficient funds for this project are included in the Fifth Supervisorial District's Fiscal Year 2009-10 Flood Control District Fund Budget.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

This project, to contract for the removal of accumulated sediment from basins, construction of interbasin spillway structures, lining of a desilting basin and corrugated metal pipelines, is part of Public Works' ongoing program for the operation and maintenance of groundwater recharge facilities. It will be advertised in accordance with Section 20991 of the State Public Contract Code. Construction work included in this project requires Public Works to relocate a City sewer pipeline and grant the City an alternative easement.

This project is to be completed in 80 working days. It is estimated the work will start in September 2010 and be completed in June 2011 with a cessation of work between January 1, 2011, and April 15, 2011.

Delegating to the Director or her designee the authority to award and execute this construction contract allows an expedited contracting process to obtain a contractor for the removal of accumulated sediment from basins, construction of interbasin spillway structures, lining of a desilting basin, and corrugated metal pipelines.

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel.

The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting your Board's ordinances, policies, and programs including, but not limited to: the County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the County's Defaulted Property Tax Reduction

Program, Los Angeles County Code, Chapter 2.206; and the standard Board directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

### **ENVIRONMENTAL DOCUMENTATION**

This project is categorically exempt pursuant to Sections 15301 (b) and 15301 (d) of the California Environmental Quality Act Guidelines and Class 1 of the revised County Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987. This class pertains to the restoration and minor alteration of existing groundwater recharge facilities.

### **CONTRACTING PROCESS**

This project will be contracted on an open competitive bid basis. The award by the Director or her designee will be made after review of the bids and determination of the apparent lowest responsive bid and responsible contractor meeting the criteria established by your Board and the State Public Contract Code.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on the County website for upcoming bids.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

When the project is completed, it will have a positive impact by restoring and improving these groundwater recharge facilities to reduce dependence on imported water thereby providing residents with a more economical and dependable source of water.

**CONCLUSION**

Please return one adopted copy of this letter to Public Works, Construction Division.

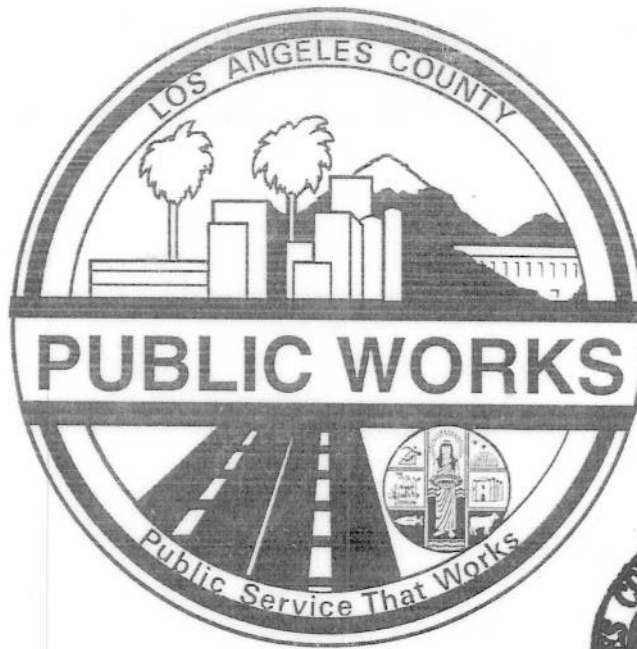
Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER  
Director

GF:JTS:bc

c: Chief Executive Office (Lari Sheehan)  
County Counsel  
Executive Office  
Office of Affirmative Action Compliance



NOTICE INVITING BIDS,  
SPECIAL PROVISIONS

AND

SAMPLE AGREEMENT

FOR

PROJECT ID NO. FCC0001153

EATON WASH  
SPREADING GROUNDS IMPROVEMENTS

**FILED**  
**BOARD OF SUPERVISORS**

42 of 4.20.10

DATE

SACHI A. HAMAI  
EXECUTIVE OFFICER AND  
CLERK OF THE BOARD OF SUPERVISORS

Deputy

Approved, GAIL FARBER, Director of Public Works

By

*Patricia V. De Chellis*

Deputy Director

1-29-2010

Date

DUPLICATE

RECORDING REQUESTED BY  
AND MAIL TO:

City of Pasadena  
100 North Garfield Avenue, N306  
Pasadena, CA 91101  
Attention: Steve Walker

*Space Above This Line Reserved for Recorder's Use*

THIS DOCUMENT IS EXEMPT FROM DOCUMENTARY TRANSFER TAX  
PURSUANT TO SECTION 11922 OF THE REVENUE & TAXATION CODE.

THIS DOCUMENT IS EXEMPT FROM RECORDING FEES PURSUANT TO  
SECTION 27383 OF THE GOVERNMENT CODE.

Assessor's Identification Numbers:

5751-018-903 (Portion)

5751-019-900 (Portion)

5751-020-903 (Portion)

## EASEMENT

For a valuable consideration, receipt of which is hereby acknowledged, the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic (hereinafter referred to as DISTRICT), does hereby grant to the CITY OF PASADENA, a municipal corporation (hereinafter referred to as CITY), an easement for sanitary sewer purposes in, on, over, under, and across the real property in the City of Pasadena, County of Los Angeles, State of California, described in Exhibit A attached hereto and by this reference made a part hereof.

Subject to all matters of record and to the following reservation and conditions, which CITY, by the acceptance of this Easement and/or the exercise of any of the rights granted herein, agrees to keep and perform, viz:

1. DISTRICT reserves the paramount right to use said land for flood control purposes.
2. CITY agrees that it will not perform or arrange for the performance of any construction or reconstruction work in, on, over, under, and across the land herein described until the plans and specifications for such construction or reconstruction work shall have first been submitted to and been approved in writing by the Chief Engineer of DISTRICT. Such approval by DISTRICT shall not be interpreted or inferred as an endorsement or approval as to the design, accuracy, correctness, or authenticity of the information shown on the submitted plans and specifications. Furthermore, such approval cannot be relied upon for any other purpose or by any third party for any reason whatsoever. DISTRICT does not accept ownership or responsibility for the improvements.
3. CITY shall indemnify, defend, and save harmless DISTRICT, its officers, agents, and/or employees, from any and all claims, demands, liability, loss, damage, or expense to which DISTRICT, its officers, agents, and employees may be subjected as the result of any act or omission by CITY, its officers, agents, or employees, arising out of the exercise by CITY, its officers, agents, employees, or contractors of any of the rights granted to it by this Easement document.
4. It is expressly understood that DISTRICT will not be called upon to construct, repair, maintain, or reconstruct any structure or improvement to be erected or constructed pursuant to this Easement document.



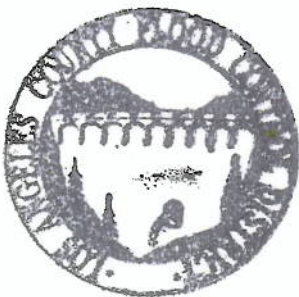
5. CITY agrees upon written request by DISTRICT to relocate its installations and facilities within a reasonable time, upon the following conditions:

If the relocation is outside of the easement parcel, DISTRICT shall grant CITY an easement parcel of comparable rights and CITY shall quitclaim to DISTRICT all rights herein acquired. DISTRICT shall be responsible for and bear the costs and expenses of any such relocation during the first twenty (20) years and CITY shall be responsible for and bear the costs and expenses of any relocation thereafter.

6. The granting of this easement is conditioned on the continuous use of the easement parcel for the purposes herein contemplated. If CITY uses this easement parcel for purposes other than herein contemplated, abandons the use of the easement parcel, or does not use the easement parcel for a continuous period of two (2) years, this easement and the rights herein granted may forthwith be terminated at the option of DISTRICT by written notice to CITY; and CITY agrees to thereupon deliver a good and sufficient quitclaim deed of the rights herein granted to clear title to the easement parcel.
7. The provisions and agreements contained in this Easement document shall be binding upon CITY, its successors, and assigns.

To the extent any lawful assessment be levied pertaining to the area to which this easement applies and to the extent that the assessment is based on the structures and improvements being constructed under the authority of this easement and provided further that the assessment be levied following CITY's exercise of these easement rights to construct such structures and improvements, CITY agrees to pay on behalf of DISTRICT that part of any such assessment levied against DISTRICT, which is based on the value contributed to that area by CITY's said improvements.

Dated 8-12-2010



(LACFCD-SEAL)

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT,  
a body corporate and politic

By *Gloria Molina*  
Chair, Board of Supervisors of the  
Los Angeles County Flood Control District

ATTEST:  
SACHI A. HAMAI, Executive Officer  
of the Board of Supervisors  
of the County of Los Angeles

By *[Signature]*  
Deputy

File with: **EATON WASH 220**  
Also affects Parcels 221 and 234  
Includes Parcels 220GE, 221GE and 234GE  
24-RW 4.1  
S.D. 5 X5009690  
Project ID: FCC0001153

KR:bw

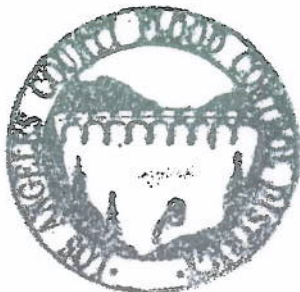


STATE OF CALIFORNIA                    )  
  ) ss.  
COUNTY OF LOS ANGELES            )

On January 6, 1987, the Board of Supervisors for the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts adopted a resolution pursuant to Section 25103 of the Government Code that authorized the use of facsimile signatures of the Chair of the Board on all papers, documents, or instruments requiring the Chair's signature.

The undersigned hereby certifies that on this 12 day of August, 2010, the facsimile signature of GLORIA MOLINA, Chair of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, was affixed hereto as the official execution of this document. The undersigned further certifies that on this date a copy of the document was delivered to the Chair of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT.

In witness whereof, I have also hereunto set my hand and affixed my official seal the day and year above written.



SACHI A. HAMAI, Executive Officer  
of the Board of Supervisors  
of the County of Los Angeles

By [Signature]  
Deputy

(LACFCD-SEAL)

APPROVED AS TO FORM

ANDREA SHERIDAN ORDIN  
County Counsel

By [Signature]  
Deputy

APPROVED as to title and execution, _____, 20____.
DEPARTMENT OF PUBLIC WORKS Survey/Mapping & Property Management Division
Supervising Title Examiner
By _____

<b>CERTIFICATE OF ACCEPTANCE</b>
This is to certify that the interest in real property conveyed by the deed or grant herein, dated _____, from the Los Angeles County Flood Control District, a body corporate and politic, to the City of Pasadena, a municipal corporation, is hereby accepted by approval of the City Council of the City of Pasadena at its meeting held on _____, and the grantee consents to the recordation thereof by its duly authorized officer.
Dated _____
By _____

## EXHIBIT A

File with: **EATON WASH 220**  
Also affects: Parcel Nos. 221 and 234  
Includes: Parcel Nos. 220GE, 221GE, & 234GE  
24-RW 4.1  
A.I.N. 5751-018-903 (Portion)  
5751-019-900 (Portion)  
5751-020-903 (Portion)  
T.G. 566 (F2)  
I.M. 159-257  
S.D. 5  
X5009690

### LEGAL DESCRIPTION

#### PARCEL NO. 220GE (Grant of easement for sanitary sewer purposes):

That portion of that certain parcel of land in Lots 9 and 10, Block B, Bonestell Tract, as shown on map recorded in Book 4, page 572, of Miscellaneous Records, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, described as PARCEL 220 in a Final Judgment, had in Superior Court Case No. 506562, a certified copy of which was recorded in Book 25990, page 182, of Official Records, in the office of said Registrar-Recorder/County Clerk, within a strip of land 10 feet wide, lying 5 feet on each side of the following described centerline, said centerline hereby being designated as Line "A":

Beginning at a point in the northerly line of that certain 60-foot-wide strip of land described as Parcel No. 2 in deed to the County of Los Angeles, recorded in Book 12981, page 259, of said Official Records, said point being distant along said northerly line South 89°53'30" West 87.76 feet from the easterly line of said Lot 10; thence North 0°06'30" West 125.00 feet; thence North 54°53'30" East 36.00 feet; thence North 77°14'00" East 148.18 feet; thence North 31°50'37" East 16.57 feet to a line parallel with and 5 feet westerly, measured at right angles, from the easterly line of that certain parcel of land in Santa Anita Rancho, as shown on map recorded in Book 1, pages 97 and 98, of Patents, in the office of said Registrar-Recorder/County Clerk, described as PARCEL 221 in said Final Judgment, had in said Superior Court Case No. 506562; thence North 7°38'11" West, along said parallel line, a distance of 609.33 feet to a line parallel with and 5 feet southwesterly, measured at right angles, from the northeasterly line of said PARCEL 221; thence North 29°34'57" West, along said last-mentioned parallel line, a distance of 125.06 feet; thence South 78°49'39" West 166.34 feet; thence North 22°28'27" East 71.98 feet; thence North 60°23'34" East 26.61 feet to the northerly line of said PARCEL 221.



The sidelines of the above-described 10-foot-wide strip of land shall be prolonged or shortened at the angle points so as to terminate at their points of intersection.

**PARCEL NO. 221GE** (Grant of easement for sanitary sewer purposes):

That portion of the above-mentioned PARCEL 221 within a strip of land 10 feet wide, lying 5 feet on each side of the following described line:

Beginning at the southerly terminus of the above-designated Line "A"; thence generally northerly, along said Line "A", and following the same in all its various courses, to its northerly terminus.

The sidelines of the last-described 10-foot-wide strip of land shall be prolonged or shortened at the angle points so as to terminate at their points of intersection, and shall be prolonged or shortened at their ends so as to terminate in the northerly line of said PARCEL 221.

**PARCEL NO. 234GE** (Grant of easement for sanitary sewer purposes):

That portion of that certain parcel of land in above-mentioned Santa Anita Rancho, described in deed to LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, recorded in Book 56448, page 321, of above-mentioned Official Records, within a strip of land 10 feet wide, lying 5 feet on each side of the following described line:

Beginning at the southerly terminus of the above-designated Line "A"; thence generally northerly, along said Line "A", and following the same in all its various courses, to its northerly terminus.

The sidelines of the last-described 10-foot-wide strip of land shall be prolonged or shortened at the end thereof so as to terminate in the northerly line of said parcel of land described in said deed recorded in Book 56448, page 321.

Parcel Nos. 220GE, 221GE, & 234GE containing a total of: 13,248± square feet.

**EXHIBIT A**



APPROVED AS TO DESCRIPTION	
MAY 11, 2010	
COUNTY OF LOS ANGELES	
By	
	LICENSED SURVEYOR
Survey/Mapping & Property Management Division	